

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

**BONNIE HEATHER MILLER and
LEAGUE OF WOMEN VOTERS OF
ARKANSAS**

PLAINTIFFS

V.

CASE NO. 5:20-CV-5163

**JOHN THURSTON, in his official capacity
as Secretary of State of Arkansas**

DEFENDANT

ORDER GRANTING MOTION TO EXPEDITE BRIEFING

Plaintiffs Bonnie Miller and the League of Women Voters of Arkansas have moved this Court to expedite briefing on their motion for preliminary injunction (Doc. 5). They also filed a brief in support of the Motion (Doc. 6). The Court has communicated with counsel at the Office of the Arkansas Attorney General via email and understands that Secretary Thurston is opposed to an expedited briefing schedule in this matter. However, in light of the requirement that printed absentee ballots be delivered to county clerks by September 17, 2020, see Ark. Code Ann. § 7-5-407(a)(1), the Court finds it necessary to accelerate the standard briefing timeline.¹ Therefore, Plaintiffs' Motion to Expedite Briefing (Doc. 5) is **GRANTED IN PART AND DENIED IN PART**. Defendant is **DIRECTED** to file a response to Plaintiffs' motion for preliminary injunction **on or before Thursday, September 10, 2020**. A hearing on the motion for preliminary injunction will

¹ Based on communications with the parties today, the Court understands that the Secretary may have issued guidance to county clerks to remove the proposed initiatives from the ballots as they are being printed. While the Court believes it is premature to make any rulings to the contrary at this point, the Secretary is advised that if a preliminary injunction is granted, any ballots without the initiatives at issue here will need to be reprinted.

be held at **10 a.m. on Monday, September 14, 2020,** via Zoom videoconference.²

Access information for the videoconference will be provided to counsel via email.

Additionally, the Court requests that the parties inform the Court via email regarding any further rulings by the Arkansas Supreme Court in the matter of *Miller v. Thurston*, Case No. CV-20-454.

IT IS SO ORDERED on this 4th day of September, 2020.

/s/ Timothy L. Brooks
TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE

² Since a hearing will be held on the motion, the Court finds that reply briefing by the Plaintiffs will not be necessary.